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7 Attorney for Michael Allen Souza

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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MICHAEL ALLEN SOUZA,

15 Defendant.
16

Case No. 2:19-cr-00213-KJD-NJK

**STIPULATION TO CONTINUE
PRETRIAL MOTION DEADLINES**
(Third Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between
18 Nicholas A. Trutanich, United States Attorney, and Bryan Y. Whang, Assistant United
19 States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal
20 Public Defender, and Rebecca A. Levy, Assistant Federal Public Defender, counsel for
21 Michael Allen Souza, that the previously ordered deadline for filing of pretrial motions be
22 vacated and that the parties herein shall have to and including May 18, 2020, within which to
23 file the Defendant's pretrial motions currently due March 18, 2020.

24 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
25 shall have to and including June 1, 2020, to file any and all responsive pleadings, currently due
26 April 1, 2020.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including June 8, 2020, to file any and all replies to dispositive motions,
3 currently due April 8, 2020.

4 The Stipulation is entered into for the following reasons:

5 1. Counsel for the defendant needs additional time to review discovery, conduct
6 further investigation in this case in order to determine whether there are any pretrial issues that
7 must be litigated and whether the case will ultimately go to trial or will be resolved through
8 negotiations.

9 2. The defendant is incarcerated and does not object to the continuance.

10 3. The parties agree to the continuance.

11 4. The additional time requested herein is not sought for purposes of delay, but
12 merely to allow counsel for defendant sufficient time within which to discuss the proposed
13 resolution with his client.

14 5. Additionally, denial of this request for continuance could result in a miscarriage
15 of justice.

16 This is the third stipulation to continue filed herein.

17 DATED this 16th day of March 2020.

18 RENE L. VALLADARES
19 Federal Public Defender

NICHOLAS A. TRUTANICH
Acting United States Attorney

20 */s/ Rebecca A. Levy*
21 By _____

22 REBECCA A. LEVY
Assistant Federal Public Defender

/s/ Bryan Y. Whang
By _____

BRYAN Y. WHANG
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MICHAEL ALLEN SOUZA,

7 Defendant.

Case No. 2:19-cr-00213-KJD-NJK

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

9
10 **FINDINGS OF FACT, CONCLUSIONS OF LAW**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for the defendant needs additional time to review discovery, conduct
14 further investigation in this case in order to determine whether there are any pretrial issues that
15 must be litigated and whether the case will ultimately go to trial or will be resolved through
16 negotiations.

17 2. The defendant is incarcerated and does not object to the continuance.

18 3. The parties agree to the continuance.

19 4. The additional time requested herein is not sought for purposes of delay, but
20 merely to allow counsel for defendant sufficient time within which to discuss the proposed
21 resolution with his client.

22 5. Additionally, denial of this request for continuance could result in a miscarriage
23 of justice.

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ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including May 18, 2020, within which to file the Defendant's pretrial motions.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including June 1, 2020, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including June 8, 2020, to file any and all replies to dispositive motions.

DATED this 17th day of March 2020.


UNITED STATES MAGISTRATE JUDGE